

Message Text

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ACTION SCS-03

INFO OCT-01 ARA-10 EUR-12 ISO-00 SCA-01 EB-08 FAA-00

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FM AMEMBASSY NASSAU

TO SECSTATE WASHDC NIACT IMMEDIATE 9625

INFO AMEMBASSY LONDON IMMEDIATE

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E.O. 11652: N/A

TAGS: CPRS, CARR, BF

SUBJ: CONFISCATION OF AIRCRAFT (QUEEN AIR - NIIIV)

REF: STATE 177038

1. CONS OFFICER HAD SPOKEN WITH MR. MODISETTE AT GRAND TURK PRIOR RECEIPT REFDEPTEL WHO STATED THAT HE HAS RETAINED LOCAL LAWYER, F. F. DEMPSEY, TO ASSIST IN ATTEMPT REGAIN OWNERSHIP OF AIRCRAFT. LAWYER ARRANGED APPOINTMENT FOR MR. MODISETTE TO MEET WITH GOVERNOR GENERAL, ARTHUR WATSON, AFTERNOON OF TWENTY-SEVENTH.

2. EMBASSY UNABLE REACH EITHER GOVERNOR GENERAL OR MICHAEL JENNINGS, ATTORNEY GENERAL, BY TELEPHONE BUT SENT FOLLOWING URGENT TELEGRAM AFTERNOON JULY 28: QUOTE: WOULD APPRECIATE STATUS REPORT AS TO DISPOSITION OF AIRCRAFT, BEECHCRAFT (QUEEN AIR) 65-LC-251, REGISTRATION NO. NIIIV, OWNED BY UNITED STATES CITIZENS OF THE BLUE RIDGE AIRCRAFT CORPORATION, BANNER ELK, NORTH CAROLINA.

IN VIEW AIRCRAFT WAS LEASED IN GOOD FAITH BY CORPORATION TO PERSON FOR LAWFUL PURPOSES WHO SUBSEQUENTLY ENGAGED IN CONTRABAND ACTIVITIES, A NOTICE OF SEIZURE WOULD APPEAR APPROPRIATE UNDER CIRCUMSTANCES ALLOWING LIMITED OFFICIAL USE

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INNOCENT AND RIGHTFUL OWNERS THIRTY DAYS TO REGAIN POSSESSION OF AIRCRAFT.

YOUR EARLIEST ATTENTION AND REPLY WILL BE APPRECIATED.
UNQUOTE

3. GOVERNMENT OF TURKS AND CAICOS REPLIED AS FOLLOWS:
QUOTE: YOUR CABLE OF 28 JULY. BEECHCRAFT REGISTRATION

NO. NIIV.

BY ORDER OF TURKS AND CAICOS ISLANDS MAGISTRATE'S COURT ON WEDNESDAY 27 JULY THIS BEEHCRAFT AIRCRAFT WAS DECLARED FORFEIT TO CROWN UNDER SECTION 16 OF CONTROL OF DRUGS ORDINANCE 1976 AND ORDERED TO BE SOLD OR OTHERWISE DISPOSED OF TO BENEFIT OF REVENUES OF ISLAND. IN ACCORDANCE WITH LAW, MAGISTRATE BEFORE MAKING THIS ORDER HEARD SWORN EVIDENCE FROM PRESIDENT OF BLUE RIDGE AIRCRAFT CORP WHO CLAIMED IN COURT TO BE THE OWNER. TURKS AND CAICOS ISLANDS GOVERNMENT IS NOW CONSIDERING MANNER IN WHICH MAGISTRATE'S ORDER CAN BEST BE IMPLEMENTED AND PRESIDENT OF CORP HAS BEEN IN TOUCH WITH REPRESENTATIVES OF GOVERNMENT ALREADY. UNQUOTE.

4. EMBASSY SPOKE WITH MICHAEL JENNINGS, TURKS AND CAICOS ATTORNEY GENERAL TO DISCUSS CONTENTS OF TELEGRAM. JENNINGS POINTED OUT: (A) LAW GOVERNING SUCH SEIZURES VERY CLEAR AND NOTICE OF SEIZURE NOT APPLICABLE. HE SUGGESTED THAT OWNERS OF AIRCRAFT COULD BE IMPLICATED IN CONTRABAND ACTIVITIES AND LAW WRITTEN TO DISCOURAGE PRACTICE. (B) OWNER (MODISETTE) MADE REPRESENTATION TO TURKS FINANCE MINISTER WHO OFFERED TO GIVE MODISETTE FIRST CHANCE TO PURCHASE AIRCRAFT. PRICE RANGED FROM THIRTY TO SIXTY THOUSAND DOLLARS.

5. POST MADE STRONG VERBAL PROTEST BUT BELIEVES LITTLE LIMITED OFFICIAL USE

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MORE CAN BE ACCOMPLISHED FROM HERE UNLESS DEPARTMENT CAN PROVIDE ARGUMENT BASED ON LEGAL GROUNDS WHICH WE CAN RAISE ON CONSULAR LEVEL. DEPARTMENT MAY ALSO WISH CONSIDER POSSIBILITY BRINGING DIPLOMATIC PRESSURE TO BEAR THROUGH EMBASSY LONDON TO FOREIGN AND COMMONWEALTH OFFICE, SINCE TURKS AND CAICOS STILL BRITISH COLONY.
TAYLOR

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Message Attributes

Automatic Decaptioning: X
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Concepts: AIRCRAFT CONFISCATION
Control Number: n/a
Copy: SINGLE
Sent Date: 29-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977NASSAU01124
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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